

**REGULAR MEETING  
ENFORCEMENT AND RESOURCE PROTECTION  
MAY 20, 2009 – 3:00 P.M.  
TRIBAL OFFICE BOARDROOM**

1. Chairman Kenneth A. Fish called the meeting to order at 3:00 p.m. Roll call was taken with a quorum present. MEMBERS PRESENT: Kenneth A. Fish, Eugene Caldwell, Walter Cox, Toni Caldwell, Robert Summers, Barb Nelson, Lynnette Miller Jonathan Pyatskowit and Mary Wayka. MEMBERS ABSENT: Mark Waukau. Also present: Betty Jo Wozniak, Gary Schuettpelz, Josh Pyatskowit, Joel Whitehouse, Richard Bugler, Warren Warrington, William Kussel, Diana Taubel, Brian Tepiew, and Linda Peters, recorder.

2. Moment of Silence. Kenneth A. Fish requested a moment of silence.

3. Approval of Minutes dated April 15, 2008

In the minutes, the wrong pronoun was use. Lynnette Miller qualified “**her**” abstention, not “his”. This needs to be corrected.

**Motion made by Lynnette Miller to approve the minutes dated April 15, 2008 with corrections. Second was by Robert Summers. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 2 abstentions (Caldwell and Nelson), and 1 absent (Waukau).**

Note: Eugene Caldwell and Barbara Nelson qualified their abstentions as follows: “Not present”.

4. South Branch Water Quality Concern

The 502-elderly apartment building located at the intersection of Highway AA and Highway B has been experiencing water problems. Joel Whitehouse and Betty Wozniak updated the Committee that they are aware of the problem; the Housing Department has been delivering fresh water to the 5 elderly apartments on a daily basis; and that Kevin Stauss-IHS is working with Gary Schuettpelz-Environmental Services to correct the problem.

Gary Schuettpelz informed the Committee that the water samples that came back from the lab show that there is a form of coli bacteria in the water, which is also found in any type of lake water. There are no traces of e-coli or other forms of bacteria that would be harmful to anyone if ingested.

Candace Firgens – Aging Division is well aware of the circumstances, and has informed the Commission on Aging on any updates that have been given to her.

Gary Schuettpelz and Joel Whitehouse will provide written reports that will be submitted to the Committee for next month’s meeting.

5. Draft Ordinance # 09 - \_\_\_\_\_ : Declaration of a State of Emergency

Josh Pyatskowit introduced the Draft Ordinance for the Committees consideration. The Committee commented on who actually needs to call the State of Emergency, the allocation of any type of funding (direct or redirecting funds), definitions of what a natural and manmade emergency is, and to review the Tribe's Emergency Response Manual.

The Draft Ordinance will be reviewed again at next month's meeting.

**Motion made by Eugene Caldwell to table item # 5 – Draft Ordinance # 09 - \_\_\_\_\_: Declaration of a State of Emergency. Second was by Barb Nelson. All those in favor of the motion signify by saying aye. Motion carried: 8 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).**

6. Traffic Accident Data Review: Discussion/Recommendations

Warren Warrington presented this data. The Committee was concerned with the confidentiality of tribal members. The State of Wisconsin technicians that will work with this data needs to sign a confidentiality agreement prior to reviewing this data. The Committee will review all the data and will discuss further action at next month's meeting.

**Motion made by Mary Wayka to table the Traffic Accident Data Review until the next meeting. Second was by Jonathan Pyatskowit. All those in favor of the motion signify by saying aye. Motion carried: 8 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).**

7. Amendment to Ordinance # 79-34 License and Registration of Vehicles:  
Discussion/Recommendations

Kenneth A. Fish brought to the Committee's attention that the Tribe needs to pass license and registration laws that fit the needs of our membership. The Tribe enacted an ordinance by adopting the State of Wisconsin Motor Vehicle Code. Diana Taubel informed the Committee that Tribal Ordinance # 85-21 adopted the Wisconsin Motor Vehicle Code.

William Kussel will review the Ordinance, and bring back to the Committee some suggestions on developing the Tribe's own License and Registration of Vehicle Code.

8. Amendment to Ordinance # 81-16-Dogs: Discussion/Recommendations

Richard Bugler and William Kussel are working on combining the two dog ordinances and will submit a marked up copy for the Committee's recommendation for approval.

**Motion made by Eugene Caldwell to table this item until the next meeting. Second was by Lynnette Miller. All those in favor of the motion signify by saying aye. Motion carried: 8 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).**

9. Amendment to Ordinance # 02-27-Dangerous Dogs: Discussion/Recommendations

Same as item # 8.

**Motion made by Eugene Caldwell to table this item until the next meeting. Second was by Lynnette Miller. All those in favor of the motion signify by saying aye. Motion carried: 8 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).**

10. Amendment to Ordinance #97-13 – All Terrain Vehicle Regulations:  
Discussion/Recommendations

Walter Cox updated the Committee on the progress of the workgroup for presentation for amendments to the Ordinance. Mr. Cox is working with legal on the Draft and this should be ready for next month's meeting.

**Motion made by Eugene Caldwell to table Amendment to Ordinance #97-13 – All Terrain Vehicle Regulations until the next meeting. Second was by Lynnette Miller. All those in favor of the motion signify by saying aye. Motion carried: 8 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).**

11. Monthly Narratives

The Committee discussed that the monthly narratives reflected that there is not enough or manpower.

The Tribal Police phone system is not user friendly. People that call in want to speak to a live person. Warren Warrington said that there is no money in the budget to hire a receptionist.

The Committee discussed the Quick 50 program (Tribal Police Department), and how it concerns our youth. This program allowed our youth to inform the police about crimes that are being committed without exposing themselves to repercussions. It was also noted that there is a retaliation ordinance on the books that the Prosecutor has been using in our court system.

**Motion made by Eugene Caldwell to accept all reports as submitted. Second was by Barb Nelson. All those in favor of the motion signify by saying aye. Motion carried: 8 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).**

12. Other Business

Brian Tepiew wanted to know when the Conservation Department will be posting the numbers of violations and citations that were given out. The Tribal Police Department is already working on a website that will enable users to view information that is posted. The Tribal Courts is looking at providing convictions on a webpage.

Walter Cox will provide this information from his next monthly report to the Menominee Nation News. Warren Warrington suggested that a link could be provided from the Tribal Police Department webpage.

(Barb Nelson left the meeting at 4:36 p.m.)

Brian Tepiew wanted to know when the Committee will meet again on the descendants and hunting issues. The Conservation Commission will meet again on June 1, 2009 at 5:00 p.m.

The Committee would like to know what type of laws the Tribe has on furnishing or distributing alcohol to minors. The Committee needs to protect our children from the adults that furnish and distribute alcohol. The Tribe needs to work with Menominee County to make this a collaborative effort.

**Motion made by Eugene Caldwell to recommend that the Menominee Tribe/Menominee County Task Force take up this issue of serving our minor children alcohol beverages. Second was by Mary Wayka. All those in favor of the motion signify by saying aye. Motion carried: 7 for, 0 opposed, 0 abstentions and 2 absent (Waukau and Nelson).**

Another issue is the video gaming machines that are located in the taverns. According to the Gaming Compact, only the Tribe should be offering gaming opportunities. The Tribe needs to take a position with the State and enforce the law about having video games in the taverns. Kenneth A. Fish will take this issue to the State Tribal Advisory Council.

**Motion made by Lynnette Miller to recommend to the Legislature that the issue of gaming machines in bars be referred to the State Tribal Advisory Council. Second was by Eugene Caldwell. All those in favor of the motion signify by saying aye. Motion carried: 7 for, 0 opposed, 0 abstentions, and 2 absent (Waukau and Nelson).**

13. Adjournment

**Motion made by Eugene Caldwell to adjourn the meeting. Second was by Mary Wayka. All those in favor of the motion signify by saying aye. Motion carried: 7 for, 0 opposed, 0 abstentions, and 2 absent (Waukau and Nelson).**

Meeting adjourned at 4:45 p.m.

Respectfully submitted by,

Linda Peters, recorder  
Chairman's Office